



## *Report to the Auburn City Council*

Action Item	3
Agenda Item No.	
City Manager's Approval	

**To:** Mayor and City Council Members  
**From:** Valerie Harris, Chief of Police  
**Date:** December 13, 2010  
**Subject:** Second Reading of Ordinance Adding Sections 97.022 (C) through 97.022 (F) of the Auburn Municipal Code Establishing Dog Vaccination Reporting Requirements for Veterinarians and Vaccination Clinics

### *The Issue*

Should the City Council approve the Second Reading of an Ordinance adding Sections 97.022 (C) through 97.022 (F) of the Auburn Municipal Code establishing dog vaccination reporting requirements for Veterinarians and Vaccination Clinics?

### *Conclusions and Recommendation*

Staff recommends that the City Council take the following action:

Hold a Second Reading, by title only, of an Ordinance adding Sections 97.022 (C) through 97.022 (F) of the Auburn Municipal Code establishing dog vaccination reporting requirements for Veterinarians and Vaccination Clinics.

### *History/Background*

On November 22, 2010 the Auburn City Council held a duly noticed public hearing and adopted the attached ordinance as presented (**Attachment 1**). The attached ordinance would require all licensed veterinarians or approved veterinary clinics to report rabies vaccinations in the manner prescribed by the County of Placer Director of Animal Control Services. This mandatory reporting process provides for verification of the anti-rabies vaccination administered to any dog residing within any jurisdiction in Placer County. The centralized reporting can assist all agencies with verification that any stray canine or other dog involved in a bite incident has been properly vaccinated. Additionally, this centralized reporting will enhance public safety tracking of canines residing within any Placer County jurisdiction, that have previously been determined to be "Potentially Dangerous" or "Dangerous" by another public safety agency.

A Second Reading is required to complete the processing of the Ordinance. The Ordinance becomes effective thirty (30) days following the Second Reading.

**Alternatives Available to Council; Implications of Alternatives**

- A. Hold a Second Reading
- B. Deny the Second Reading

**Fiscal Impacts**

Potential revenue from licensing compliance, as statistically estimated by the AMVA, indicates the current dog population within the City is 4,995. Given the lowest possible revenue amount from licensing of this total number of dogs, assumes all animals are altered and will be charged an annual licensing fee of \$6.00 per dog. The total minimum annual revenue from dog licensing is estimated to be \$29,970 if 100% compliance could be achieved. These revenues will, of course, be offset by additional staff time and other services required to process licenses and to enforce the ordinance. No net fiscal impact on the City is expected, as fees are intended to recover costs.

**Additional Information**

Please see the following attachments for more details:

**ATTACHMENT –**

1. Draft Ordinance Adding Sections 97.022 (C) through 97.022 (F) of the Auburn Municipal Code Establishing Dog Vaccination Reporting Requirements

**EXHIBIT ON FILE WITH THE CITY CLERK****EXHIBIT –**

- A. November 22, 2010 City Council Staff Report with Attachments & Exhibits



# ATTACHMENTS

ORDINANCE NO. 10-\_\_\_\_

AN ORDINANCE OF THE CITY OF AUBURN AMENDING SECTION 97.022  
OF THE AUBURN MUNICIPAL CODE ESTABLISHING  
DOG VACCINATION REPORTING REQUIREMENTS

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THE CITY COUNCIL OF THE CITY OF AUBURN DOES ORDAIN AS FOLLOWS

Section One: The City Council of the City of Auburn hereby finds:

(A) A high percentage of unlicensed dogs reside in the City of Auburn. In order to effectively administer the rabies vaccination requirements of Section 121690 of the Health and Safety Code and local ordinances enacted pursuant thereto, the City Council has adopted this Ordinance.

(B) It is the City Council's intention that nothing in this Ordinance shall conflict with preemptive state or federal law and this ordinance shall be interpreted in light of that intent.

(C) To protect the public health, safety and welfare, it is the desire of the City Council to amend the City of Auburn Municipal Code by amending Section 97.022 to add new subsections (C) through (F) establishing dog vaccination reporting requirements as those sections are set forth below.

Section Two: Section 92.022 of Chapter 97, entitled Animals, of the Auburn Municipal Code is hereby amended to read as set forth in **Exhibit A** attached hereto.

Section Three: This Ordinance shall take effect thirty days following its adoption as provided by Government Code Section 36937.

1       Section Four: Should any provision, section, paragraph, sentence or word  
2 of this Ordinance be rendered or declared invalid by any court of competent  
3 jurisdiction or by reason of any preemptive legislation, the remaining  
4 provisions, sections, paragraphs, sentences or words of this Ordinance shall  
5 remain in full force and effect.

6  
7       Section Five: To the extent the provisions of the Auburn Municipal Code  
8 as adopted by this Ordinance are substantially the same as the provisions of  
9 that Code in effect prior to the adoption of this ordinance, those provisions  
10 shall be construed as continuations of the earlier provisions and not as new  
11 enactments.

12  
13       Section Six: The City Clerk shall certify to the passage and adoption of  
14 this Ordinance and shall give notice of its adoption as required by law.

15  
16 DATED: December 13, 2010

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18 \_\_\_\_\_  
19 William W. Kirby, M.D., Mayor

20 ATTEST:

21 \_\_\_\_\_  
22 Joseph G. R. Labrie, City Clerk

23       I, Joseph G. R. Labrie, City Clerk of the City of Auburn, hereby certify  
24 that the foregoing ordinance was duly passed at a regular meeting of the City  
25 Council of the City of Auburn held on the 13<sup>th</sup> day of December 2010 by the  
26 following vote on roll call:

27       Ayes:

28       Noes:

      Absent:

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Joseph G. R. Labrie, City Clerk

# EXHIBIT A

## § 97.022 LICENSES; TAGS AND CERTIFICATES; PROCUREMENT; TERM.

(A) An Animal Control Officer shall procure and issue numbered license tags stamped with the name of the city. The tags shall only be issued upon the application of owners who complied with the vaccination and fee provisions of this chapter and the license tag will be permanently issued for each dog and shall remain with that dog.

(B) The dog licenses required by this chapter shall be issued upon the payment of the fees established by City Council resolution for a fixed period commencing upon the date of the application and upon the showing of a valid certificate of rabies vaccination.

(C) The owner of every dog over six months of age kept or maintained in the City shall have that dog vaccinated for rabies as often as required by Health & Safety Code Section 121690. Such vaccination shall be administered by a veterinarian or a vaccination clinic operated pursuant to Health & Safety Code Section 121690(f).

(D) Every person of an unvaccinated dog shall comply with the provisions of this section within the sooner of 10 days of the effective date of this ordinance or the date that person becomes an owner of an unvaccinated dog.

(E) Notwithstanding any other provision of this section, however, no dog need be vaccinated for rabies if all of the following are true:

1. A licensed veterinarian has examined the dog and certified that a vaccination would endanger the dogs health; and,

2. The certificate is presented to the health officer within 5 days of the examination; and,

3. The health officer concurs in the opinion of the veterinarian, contained in such certificate, and endorses his or her approval on the certificate. Such certificate must bear the date of issuance and must be renewed within twelve months of that date and annually thereafter.

(F) Every veterinarian or clinic, after vaccinating a dog for rabies, shall issue a certificate of that fact and furnish one copy of the certificate to the owner of the dog and one copy to the Placer County Director of Animal Control or another person designed by the Department within five (5) days of vaccination. The certificate shall be in the form prescribed by the Placer County Director of Animal Control or the Department.